

Order

Michigan Supreme Court
Lansing, Michigan

March 6, 2009

Marilyn Kelly,
Chief Justice

137262 & (47)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PABLO GUTIERREZ ROMERO,
Plaintiff-Appellee,

v

SC: 137262
COA: 271122
WCAC: 04-000042

BURT MOEKE HARDWOODS, INC., and
ACCIDENT FUND INSURANCE COMPANY
OF AMERICA,
Defendants-Appellants.

On order of the Court, the motion to file brief amicus curiae is GRANTED. The application for leave to appeal the July 29, 2008 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

WEAVER, J. (*concurring*).

I concur in the order denying leave to appeal. As stated in my concurring statement in *Cain v Waste Mgt, Inc (After Remand)*, 472 Mich 236, 262 (2005), the word “loss” “includes not only amputation but also those situations in which there is a loss of the usefulness of the limb or member.”

KELLY, C.J., joins the statement of WEAVER, J.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 6, 2009

Corbin R. Davis

Clerk